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CHRISTINE DiBELLA

**Defense counsel listed after caption*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTINE DiBELLA,

Plaintiff,

v.

BOARD OF TRUSTEES OF THE
CALIFORNIA STATE UNIVERSITY;
COMPASS GROUP USA, INC. dba
CHARTWELLS HIGHER EDUCATION,

Defendants.

CASE NO. 4:21-cv-08461-HSG
Civil Rights

**STIPULATION AND ORDER RE: SECOND
AMENDED COMPLAINT AND
DEFENDANT BOARD OF TRUSTEES OF
CSU'S MOTION TO DISMISS (as modified)**

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 COMPASS GROUP USA, INC.

STIPULATION

Plaintiff CHRISTINE DiBELLA (“Plaintiff”) and Defendants BOARD OF TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY (“Trustees”); COMPASS GROUP USA, INC. dba CHARTWELLS HIGHER EDUCATION (“Compass”) (Trustees and Compass together “Defendants”) – Plaintiff and Defendants together the “Parties” – hereby stipulate that Plaintiff shall file a Second Amended Complaint (attached to this Stipulation as **Exhibit A**) by April 22, 2022; Trustees will withdraw their pending Motion to Dismiss (Docket No. 32); and Defendants will respond to the Second Amended Complaint by May 23, 2022. These requests are based on the following good cause:

1. Presently, the deadline for Plaintiff to respond to the Trustees’ Motion to Dismiss (the “Motion”) is April 22, 2022;
2. Plaintiff intends to amend her complaint to address defenses related to her Fair Housing Act claim that are addressed in the Motion; and
3. Plaintiff and Compass have reached a resolution with a dismissal to be filed in the next 35 days.

Pursuant to the above, the Parties jointly stipulate and request the following:

- Plaintiff be granted leave to file the attached Second Amended Complaint by April 22, 2022;

- The Court take the Trustees' Motion off calendar, since this stipulation moots the Motion; and
- Defendants be allowed to respond to the Second Amended Complaint by May 23, 2022;

IT IS SO STIPULATED.

Date: April 20, 2022

PEIFFER WOLF CAR KANE CONWAY & WISE, LLP

/s/ Catherine Cabalo
By CATHERINE CABALO, Esq.
Attorneys for Plaintiff
CHRISTINE DiBELLA

Date: April 20, 2022

CLYDE & CO US LLP

/s/ Douglas J. Collodel
By DOUGLAS J. COLLODEL, Esq.
Attorney for Defendant
BOARD OF TRUSTEES OF THE
CALIFORNIA STATE UNIVERSITY

Date: April 20, 2022,

FISHER & PHILLIPS LLP

/s/ Nathan V. Okelberry
By NATHAN V. OKELBERRY, Esq.
Attorney for Defendants
COMPASS GROUP USA, INC

FILER'S ATTESTATION

Pursuant to Local Rule 5-1, I hereby attest that on April 20, 2022, I, Catherine Cabalo, attorney with Peiffer Wolf Carr Kane Conway & Wise, LLP, received the concurrence of Nathan V. Okelberry, Esq. and Douglas J. Collodel, Esq. in the filing of this document.

/s/ Catherine Cabalo
Catherine Cabalo


ORDER

Pursuant to the stipulation of the parties and for good cause shown:

1. Plaintiff is granted leave to file her Second Amended Complaint by April 22, 2022;
2. Defendant Trustees' Motion to Dismiss (Docket No. 32) is terminated; and
3. Defendants shall respond to the Second Amended Complaint by May 23, 2022.

IT IS SO ORDERED.

Dated: 4/20/2022


Honorable Haywood S. Gilliam, Jr.
U.S. District Court Judge